

**Court of Appeals, Division One**  
**Criminal**

**1 CA-CR 16-0035**

**STATE v. KEMP**

**Appellate Case Information**

Case Filed: 25-Jan-2016  
Case Closed:

**Dept/Composition**

**Side 1. STATE OF ARIZONA, Appellee**

(Litigant Group) STATE OF ARIZONA

- State of Arizona

**Attorneys for: Appellee**

Joseph T Maziarz, Esq. (AZ Bar No. 9212)

**Side 2. JAMES LEE KEMP, Appellant**

(Litigant Group) JAMES LEE KEMP

- James Lee Kemp

**Attorneys for: Appellant**

Mark Heath, Esq. (AZ Bar No. 25529)

**CASE STATUS**

Jul 26, 2016.....Record Complete-Notice Completion Sent

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2011-007335-001	See File	See File	Roland J Steinle, Sentencing	JURY	

**OPEN DUE DATE**

**Opening Brief Due**

**Due By:** Friday, December 23, 2016

Re: FILED: Notice of Completion of Record

[4 extensions]

**PENDING MATTER**

**Order to Show Cause - Attorney**

Filed: 28-Nov-2016

Attorney Mark Heath opening brief due 12/23/2016.

**78 PROCEEDING ENTRIES**

- 25-Jan-2016 FILED: Notice of Appeal from Maricopa County Superior Court filed 01/15/16. Notification sent to Court Reporters dated 1/22/2016
- 26-Jan-2016 ORDERED: Appointing Maricopa County Public Defender as counsel for appellant. FURTHER ORDERED: Transcripts due 3/10/2016. Anthony Mackey ProTem Judge - Author
- 26-Feb-2016 FILED: Additional Record on Appeal  
Exhibits:  
Hearing Date 01/21/2014 - List # 1 2 in a manila envelope  
Hearing Date 08/24/2015 - List # 1 18 19 20 21 22 24 25 54 62 63 64 65 67 68 69 71 72 73 74 75 76 77 78 79 88 89 90 93 94 97 98 108 114 117 118 119 121 122 123 133 138 162 163 164 165 180 181 182 in a manile envelope  
Sealed Items:  
Confidential Criminal History Addendum in Sealed Manila Envelope
- 26-Feb-2016 FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
- 26-Feb-2016 ORDERED: Ken Crenshaw transcripts dated 09/19/2011, 01/27/2012, 01/31/2012, 08/28/2012, 12/04/2013, 03/31/2015, 04/14/2015 due by 03/28/2016. Hon Samuel A Thumma - Author
- 26-Feb-2016 ORDERED: Court Reporter Lydia Estrada-Gray transcript dated 01/06/2012 due by 03/28/2016. Hon Samuel A Thumma - Author
- 26-Feb-2016 ORDERED: Court Reporter Antoinette Salazar transcripts dated 06/04/2012, 01/10/2014, 08/12/2014, 10/21/2014, 01/06/2015, 02/17/2015, 07/01/2015, 08/03/2015 due by 3/28/2016. Hon Samuel A Thumma - Author

**Court of Appeals, Division One**  
**Criminal**

**1 CA-CR 16-0035**

**STATE v. KEMP**

**78 PROCEEDING ENTRIES**

8. 26-Feb-2016 ORDERED: Court Reporter Carrie Newman transcript dated 07/12/2012 due by 03/28/2016.
9. 26-Feb-2016 ORDERED: Court Reporter Deborah Croci transcripts dated 09/05/2012, 04/24/2013 due by 03/28/2016. Hon Samuel A Thumma - Author
10. 26-Feb-2016 ORDERED: Court Reporter Sally Stearman transcript dated 11/14/2012 due by 3/28/2016. Hon Samuel A Thumma - Author
11. 26-Feb-2016 ORDERED: Court Reporter Traci Stutsman transcript dated 12/21/2012 due by 03/28/2016. Hon Samuel A Thumma - Author
12. 26-Feb-2016 ORDERED: Court Reporter Janell Rose transcripts dated 01/30/2013, 08/17/2015, 08/24/2015, 08/25/2015, 08/27/2015, 09/08/2015, 09/09/2015, 09/10/2015, 09/14/2015, 09/15/2015, 09/16/2015, 09/17/2015, 09/21/2015, 09/30/2015, 10/01/2015, 10/05/2015, 10/06/2015, 01/08/2016 due by 03/28/2016. Hon Samuel A Thumma - Author
13. 26-Feb-2016 ORDERED: Court Reporter Linda Lopez transcript dated 06/29/2015 due by 03/28/2016. Hon Samuel A Thumma - Author
14. 26-Feb-2016 FILED:e-Record on Appeal:  
Instruments/Minute Entries: Combined  
Disposition Report: None  
Exhibits: None Sent with e-Record
15. 29-Feb-2016 FILED: Reporters Transcript - 06/29/2015 - (Linda Lopez)
16. 29-Feb-2016 FILED: Reporters Transcript - 01/06/2012 - (Lydia Estrada-Gray)
17. 9-Mar-2016 FILED: Reporters Transcript - 09/19/2011 - (Karina Savelio)
18. 9-Mar-2016 FILED: Reporters Transcript - 01/27/2012 - (Karina Savelio)
19. 9-Mar-2016 FILED: Reporters Transcript - 01/31/2012 - (Karina Savelio)
20. 9-Mar-2016 FILED: Reporters Transcript - 08/28/2012 - (Karina Savelio)
21. 9-Mar-2016 FILED: Reporters Transcript - 12/04/2013 - (Dawn Carrero)
22. 9-Mar-2016 FILED: Reporters Transcript - 03/31/2015 - (Karina Savelio)
23. 9-Mar-2016 FILED: Reporters Transcript - 04/14/2015 - (Karina Savelio)
24. 10-Mar-2016 FILED: Reporters Transcript - 01/06/2015 - (Antoinette Salazar)
25. 10-Mar-2016 FILED: Reporters Transcript - 02/17/2015 - (Antoinette Salazar)
26. 10-Mar-2016 FILED: Reporters Transcript - 07/01/2015 - (Antoinette Salazar)
27. 10-Mar-2016 FILED: Reporters Transcript - 08/03/2015 - (Antoinette Salazar)
28. 10-Mar-2016 FILED: Reporters Transcript - 06/04/2012 - (Antoinette Salazar)
29. 10-Mar-2016 FILED: Reporters Transcript - 01/20/2014 - (Antoinette Salazar)
30. 10-Mar-2016 FILED: Reporters Transcript - 08/12/2014 - (Antoinette Salazar)
31. 10-Mar-2016 FILED: Reporters Transcript - 10/21/2014 - (Antoinette Salazar)
32. 21-Mar-2016 FILED: Reporter's Transcripts - 09/05/2012 Status Conference (Debbie Croci)
33. 21-Mar-2016 FILED: Reporter's Transcripts: 04/24/2013 Final Trial Management Conference (Debbie Croci)
34. 28-Mar-2016 FILED: Motion for Extension of Time to File Transcripts (Court Reporter Janell Rose)
35. 28-Mar-2016 ORDERED: Extending until 4/27/16 the deadline for Court Reporter Janell Rose to file the transcripts of the proceedings of 08/24/2015, 08/25/2015, 08/27/2015, 09/08/2015, 09/09/2015, 09/10/2015, 09/14/2015, 09/15/2015, 09/16/2015, 09/17/2015, 09/21/2015, 09/30/2015, 10/01/2015, 10/05/2015, 10/06/2015, 01/08/2016, 01/30/2013, 08/17/2015. Hon Samuel A Thumma - Author

**Court of Appeals, Division One**  
**Criminal**

**1 CA-CR 16-0035**

**STATE v. KEMP**

**78 PROCEEDING ENTRIES**

36.	29-Mar-2016	FILED: Motion to Unseal Documents; Certificate of Service (Appellant)
37.	30-Mar-2016	FILED: Reporters Transcript (11/14/12 [Sally D Stearman])
38.	1-Apr-2016	FILED: Affidavit of James Lee Kemp (Appellant Pro Per)
39.	6-Apr-2016	ORDERED: Motion to Unseal Documents (Appellant) = GRANTED/upon presentation of this order by appellant/appellee or their agents, Clerk of this Court to unseal random jury list, IOR 215, and written reports by Dr. Kirkley dated 8/27/2012 and Dr. Munoz dated 7/31/2012, IOR 62 and 63 to permit inspection/copying of these documents for use by appellant/appellee in this appeal only. FURTHER ORDERED: after permitting inspection/copying, clerk to reseal. Anthony Mackey ProTem Judge - Author
40.	8-Apr-2016	FILED: Reporter's Transcript - 12/21/12 (Trace J. Stutsman)
41.	24-Apr-2016	FILED: Reporter's Transcript of Proceedings: 1/30/13 Status Conf. (Janell Rose)
42.	24-Apr-2016	FILED: Reporter's Transcript of Proceedings: 8/24/15 Trial (Janell Rose)
43.	24-Apr-2016	FILED: Reporter's Transcript of Proceedings: 8/25/15 Trial (Janell Rose)
44.	24-Apr-2016	FILED: Reporter's Transcript of Proceedings: 8/27/2015 Trial (Janell Rose)
45.	24-Apr-2016	FILED: Reporter's Transcript of Proceedings: 09/08/2015 Trial (Janell Rose)
46.	26-Apr-2016	FILED: Letter, 4/26/16, from Court Reporter Janell Rose requesting an extension of time to file transcripts
47.	26-Apr-2016	ORDERED: Court Reporter Antoinette M. Salazar shall appear for OSC 05/18/2016 for transcript dated 01/10/2014. Hon Samuel A Thumma - Author
48.	26-Apr-2016	ORDERED: Court Reporter Carrie L Newman shall appear for OSC 05/18/2016 for transcript dated 07/12/2012. Hon Samuel A Thumma - Author
49.	27-Apr-2016	ORDERED: Letter, 4/26/16, from Court Reporter Janell Rose requesting an extension of time to file transcripts = GRANTED/Due dates EXTENDED to 05/27/2016 for transcripts dated 09/09/2015, 09/10/2015, 09/14/2015, 09/15/2015, 09/16/2015, 09/17/2015, 09/21/2015, 09/30/2015, 10/01/2015, 10/05/2015, 10/06/2015, 01/08/2016, 08/17/2015 or OSC 06/01/2016. Hon Samuel A Thumma - Author
50.	27-Apr-2016	FILED: Reporter's Transcript - 1/10/14 - Evidentiary Hearing (Antoinette Salazar)
51.	2-May-2016	ORDERED: Ken Crenshaw transcript of proceeding dated 08/17/2015 due 06/01/2016. Hon Samuel A Thumma - Author
52.	16-May-2016	FILED: Reporter's Transcript - 7/12/12 - Status Conference (Carrie Newman)
53.	23-May-2016	FILED: Reporter's Transcript - 09/17/2015 - Jury Trial (Janell Rose)
54.	23-May-2016	FILED: Reporter's Transcript - 09/21/2015 - Jury Trial (Janell Rose)
55.	23-May-2016	FILED: Reporter's Transcript - 09/30/2015 - Jury Trial (Janell Rose)
56.	23-May-2016	FILED: Reporter's Transcript - 09/10/2015 - Jury Trial (Janell Rose)
57.	23-May-2016	FILED: Reporter's Transcript - 09/14/2015 - Jury Trial (Janell Rose)
58.	23-May-2016	FILED: Reporter's Transcript - 09/16/2015 - Jury Trial (Janell Rose)
59.	24-May-2016	FILED: Reporter's Transcript - 09/15/2015 - Trial (Janell Rose)
60.	26-May-2016	FILED: Reporter's Transcript - 10/01/15 - Jury Trial (Janell Rose)
61.	26-May-2016	FILED: Reporter's Transcript - 10/06/15 - Jury Trial (Janell Rose)
62.	26-May-2016	FILED: Reporter's Transcript - 1/8/16 - Sentencing (Janell Rose)
63.	27-May-2016	FILED: Reporter's Transcript - 10/05/2015 - Trial (Janell Rose)
64.	27-May-2016	FILED: Reporter's Transcript - 09/09/2015 - Trial (Janell Rose)
65.	23-Jun-2016	ORDERED: Ken Crenshaw transcript dated 08/17/2015 past due. OSC set for 07/06/2016. Hon Samuel A Thumma - Author

**Court of Appeals, Division One**  
**Criminal**

**1 CA-CR 16-0035**

**STATE v. KEMP**

**78 PROCEEDING ENTRIES**

66.	5-Jul-2016	FILED: Reporter's Transcript - 08/17/2015 - Pretrial Conference PM (Janice Penfield)
67.	5-Jul-2016	FILED: Reporter's Transcript - 08/17/2015 - Trial Setting AM (Janice Penfield)
68.	7-Jul-2016	FILED: Declaration of James Lee Kemp Re: Additional Issues for Direct Appeal Stated on June 29,2016 (Appellant)
69.	12-Jul-2016	ORDERED: Declaration of James Lee Kemp Re: Additional Issues for Direct Appeal Stated on June 29,2016 (Appellant) = DENIED. Anthony Mackey ProTem Judge - Author
70.	26-Jul-2016	FILED: Notice of Completion of Record
71.	1-Aug-2016	FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
72.	8-Aug-2016	ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED/Appointing attorney Mark Heath as counsel for appellant. FURTHER ORDERED: Maricopa County Public Defender forward to newly-appointed counsel all files, records, transcripts. FURTHER ORDERED: Motion to Extend Opening Brief Due Date = GRANTED/Due date EXTENDED from Friday, 09-09-2016 to Thursday, 09-22-2016. Anthony Mackey ProTem Judge - Author
73.	22-Sep-2016	FILED: Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
74.	23-Sep-2016	ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED/Due date EXTENDED from Thursday, 09-22-2016 to Monday, 10-24-2016. Anthony Mackey ProTem Judge - Author
75.	24-Oct-2016	FILED: Second Motion to Extend Time to File Opening Brief; Certificate of Service (Appellant)
76.	25-Oct-2016	ORDERED: Second Motion to Extend Time to File Opening Brief (Appellant) = GRANTED/Due date EXTENDED from Monday, 10-24-2016 to Wednesday, 11-23-2016. Anthony Mackey ProTem Judge - Author
77.	23-Nov-2016	FILED: Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
78.	28-Nov-2016	ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED/Due date EXTENDED from Wednesday, 11-23-2016 to Friday, 12-23-2016 or OSC set on 01/04/2017 (attorney Mark Heath). Anthony Mackey ProTem Judge - Author